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9 *Attorneys for Claimant*

*Rowland Marcus Andrade*

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 ONE PARCEL OF REAL PROPERTY  
18 LOCATED AT 9414 PLAZA POINT DRIVE,  
MISSOURI CITY, TEXAS 77459,

19 Defendant.

20 ROWLAND MARCUS ANDRADE,

21 Claimant.

23 SOLMAZ ANDRADE,

24 Claimant.

25 WILMINGTON SAVINGS FUND SOCIETY,  
26 FSB as trustee for IRP FUND II TRUST 2A,

27 Claimant.

Case No. 3:20-cv-2013-RS

**DECLARATION OF BRIAN J. BECK IN  
SUPPORT OF MOTION FOR LEAVE TO  
FILE MOTION FOR PARTIAL  
RECONSIDERATION**

*Filed concurrently with NOTICE OF MOTION  
AND MOTION OF ROWLAND MARCUS  
ANDRADE FOR LEAVE TO FILE MOTION  
FOR PARTIAL RECONSIDERATION;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF  
ROWLAND MARCUS ANDRADE IN  
SUPPORT OF MOTION FOR LEAVE TO  
FILE MOTION FOR PARTIAL  
RECONSIDERATION; AND [PROPOSED]  
ORDER*

Judge: Hon. Richard Seeborg

Trial Date: None Set

Hearing Date: September 3, 2020, 1:30 p.m.

**DECLARATION OF BRIAN J. BECK**

I, Brian J. Beck, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate with Zuber Lawler & Del Duca LLP, attorneys of record for Claimant Rowland Marcus Andrade. I have personal knowledge of the facts stated herein, and if called to testify, I could competently do so.

2. Shortly after I entered my appearance in this case, my co-counsel Manuel Medrano and I had a telephone call with AUSA Chris Kaltsas on June 29, 2020, to discuss pending matters in this case. On that call, Mr. Kaltsas indicated that with the criminal indictment of Mr. Andrade now having been filed, there was no longer a need to keep the *ex parte* declaration that he had filed in support of the government's motion to stay sealed, and he would shortly provide that declaration to us.

3. Mr. Kaltsas emailed that *ex parte* declaration to us on July 2, 2020. A true and correct copy of that email together with the attached declaration is attached hereto as Exhibit 1.

4. After receiving the declaration from Mr. Kaltsas, I discussed its contents with Mr. Andrade. He told me that the statement in paragraph 2 of the declaration alleging that he had been liquidating assets in February 2020 was false; while he had unsuccessfully put his house up for sale in 2018 and took out loans using his home for collateral in 2019—in both cases to raise funds to develop the AML Bitcoin software—he had not made any attempts to sell the house in February 2020.

5. On a subsequent telephone call with Mr. Kaltsas on July 14, 2020, I asked him about the accuracy of paragraph 2 of his declaration in support of the motion to stay. Mr. Kaltsas answered that he intended paragraph 2 to state that February 2020 was when he personally learned of the liquidation of assets, but was not necessary when the liquidation occurred. I then asked him whether he could determine the approximate date on which the actual liquidation occurred. He responded that he would check his records and provide an answer.

6. I wrote to Mr. Kaltsas again on July 21, 2020, asking him to confirm the meaning of the paragraph 2 of his declaration in support of the motion to stay. He quickly responded,

1 confirming in writing that the actual alleged liquidation of assets happened before 2020. A true  
2 and correct copy of that email thread is attached hereto as Exhibit 2.

3 7. A true and correct copy of the Northern District of California's General Order 72,  
4 dated March 16, 2020, is attached hereto as Exhibit 3.

5  
6 I declare under penalty of perjury under the laws of the United States of America that the  
7 foregoing is true and correct.  
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9 Executed on this 29th day of July, 2020, at Glenview, Illinois.  
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11 /s Brian J. Beck  
12 Brian J. Beck  
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